

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43651 of 2021

Arising Out of PS. Case No.-53 Year-2020 Thana- UDAKISHUNGANJ District- Madhepura

AASHISH SINGH @ ASHISH KUMAR @ AASHISH @ GOLU SINGH
Son of Bablu Singh @ Varun Kumar Singh Resident of Village -
Madhukarchak, P.S.- Bihariganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-09-2021 Heard Dr. Sanjay Kumar Singh, learned counsel for
the petitioner and Mr. Yogendra Kumar, learned Additional
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Uda
Kishunganj P.S. Case No. 53 of 2020 for the offence punishable
under Section 392 of the Indian Penal Code, 1860.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this Court vide order dated
12.01.2021 passed in Cr. Misc. 30123 of 2020 with liberty to
renew his prayer for grant of regular bail after six months.

The prosecution story in brief is that the informant
was intercepted by three criminals riding on a Motorcycle and



on the point of gun, they looted a sum of Rs. 1,500/- from his nephew and Rs.12,000/- from the informant.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the Police. Learned counsel next submits that the petitioner is in custody since 4.3.2020 and he has not been put on Test Identification Parade.

On the other hand, learned counsel for the State submits that while the petitioner along with other accused persons was fleeing from the place of occurrence, the Police apprehended them along with the Motorcycle and recovered looted amount from possession of the petitioner and other accused persons.

This Court by an order dated 25.8.2021 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned Sub Judge-II cum ACJM-II, Madhepura, is on record and from perusal of the same, it appears that charges have been framed against the petitioner, but none of the witnesses has been examined as yet due to Covid-19 pandemic.

Regards being had to the submission made by the



parties and taking into consideration the material on record, the fact that the petitioner is in custody since 4.3.2020, charges have already been framed and there is no likelihood that the trial is going to be concluded in near future as well as this is second attempt for grant of regular bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Uda-Kishunganj, Madhepura, in connection with Uda-Kishunganj P.S. Case No. 53 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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